

DEPARTMENT OF THE ARMY  
4<sup>TH</sup> BRIGADE COMBAT TEAM, 3D INFANTRY DIVISION  
FOB [REDACTED], BAGHDAD, IRAQ  
[REDACTED]

REPLY TO  
ATTENTION OF:

AFZP-VE-C

31 JUL 2005

MEMORANDUM FOR Commander, 3d Infantry Division, FOB [REDACTED], Baghdad, Iraq

SUBJECT: Transmittal of Inquiry

1. Reference 15-6 Investigation, Self-Defense Shooting of a Local National, 28 June 2005.
2. I recommend no further action against PFC [REDACTED] HQ, 3-7 IN.
3. POC for this memorandum can be reached at [REDACTED].

[REDACTED]  
[REDACTED]  
COL, EN  
Commanding



DEPARTMENT OF THE ARMY  
4<sup>TH</sup> BRIGADE COMBAT TEAM, 3D INFANTRY DIVISION  
FOB [REDACTED], BAGHDAD, IRAQ  
APO AE 09348

REPLY TO  
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2. I recommend no further action against PFC [REDACTED] HQ, 3-7 IN.
3. POC for this memorandum can be reached at [REDACTED].

[REDACTED]  
[REDACTED]  
COL, EN  
Commanding

DEPARTMENT OF THE ARMY  
HEADQUARTERS, 3-7<sup>TH</sup> INFANTRY BATTALION  
4<sup>TH</sup> BRIGADE, 3<sup>RD</sup> INFANTRY DIVISION  
BAGHDAD, IRAQ  
[REDACTED]

AFZP-VEL-C

29 JUNE 2005

MEMORANDUM FOR RECORD

SUBJECT: Appointment as IS-6 Investigation Officer

1. CPT [REDACTED], [REDACTED] HHC/3-7 IN is hereby appointed an investigating officer pursuant to AR 15-6 and AR 210-7, paragraph 4-3, to conduct an informal investigation into the death of a local national on 28 Jun 05.
2. In your investigation, all witness statements will be sworn. From the evidence, you will make findings whether the negligent discharge is substantiated or was caused by mechanical failure.
3. Submit your finding and recommendations in four copies on DA Form 1574, and all supporting documentation to the Battalion Executive Officer no later than 7 days from the Appointment Date.
4. POC for this memorandum is the undersigned.

[REDACTED]  
LTC, IN  
Commanding

# REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

## SECTION I - APPOINTMENT

Appointed by LTC [REDACTED]  
(Appointing authority)

on 30 JUN 05 (Date) (Attach Inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

## SECTION II - SESSIONS

This (investigation) (board) commenced at FOB [REDACTED] (Place) on 11 (Time) 1000 (Time)

on 1 JULY 05 (Date) (If a formal board met for more than one session, check here ☐ Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 3-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1400 (Time) on 2 JULY 05 (Date)

and completed findings and recommendations at 1800 (Time) on 2 JULY 05 (Date)

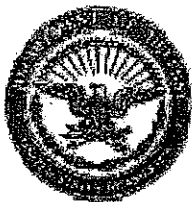
## SECTION III - CHECKLIST FOR PROCEEDINGS

### A. COMPLETE IN ALL CASES

	YES	NO	NA
1. Inclosures (para 3-15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of notice to respondent, if any? (See item 9, below)		X	
c. Other correspondence with respondent or counsel, if any?		X	
d. All other written communications to or from the appointing authority?	X		
e. Privacy Act Statements (Certificates, if statement provided orally)?	X		
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g. Information as to sessions of a formal board are included on page 1 of this report?			X
h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1) Explain all negative answers on an attached sheet.  
2) Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

		YES	NO	NA <sup>2</sup>
2	Exhibits (para 3-16, AR 15-6)			
a.	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
b.	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c.	Has the testimony/statements of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d.	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
e.	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-16b, AR 15-6)?			X
f.	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			X
g.	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each instance of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 3-2d, AR 15-6)?			
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
9	Notice to respondents (para 5-5, AR 15-6):			
a.	In the method and date of delivery to the respondent indicated on each letter of notification?			
b.	Was the date of delivery at least five working days prior to the first session of the board?			
c.	Does each letter of notification indicate --			
(1)	the date, hour, and place of the first session of the board concerning that respondent?			
(2)	the matter to be investigated, including specific allegations against the respondent, if any?			
(3)	the respondent's rights with regard to counsel?			
(4)	the name and address of each witness expected to be called by the recorder?			
(5)	the respondent's rights to be present, present evidence, and call witnesses?			
d.	Was the respondent provided a copy of all unclassified documents in the case file?			
e.	If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings begin (or otherwise was absent during part of the proceedings):			
a.	Was he properly notified (para 5-5, AR 15-6)?			
b.	Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6):			
a.	Was each respondent represented by counsel?			
Name and business address of counsel:				
(If counsel is a lawyer, check here <input type="checkbox"/> )				
b.	Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c.	If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6h, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a.	Was the challenge properly denied and by the appropriate officer?			
b.	Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
a.	Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b.	Examine and object to the introduction of real and documentary evidence, including written statements?			
c.	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d.	Call witnesses and otherwise introduce evidence?			
e.	Testify as a witness?			
f.	Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			
<b>FOOTNOTES:</b> 1) Explain all negative answers on an attached sheet. 2) Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or hearing.				



DEPARTMENT OF THE ARMY  
HEADQUARTERS and HEADQUARTERS COMPANY  
3<sup>RD</sup> BATTALION, 7<sup>TH</sup> INFANTRY  
4<sup>TH</sup> UA, 3<sup>RD</sup> INFANTRY DIVISION  
FOB [REDACTED], IRAQ

RELAY TO  
ATTENTION

AFZP-VEL-HC

2 July 2005

MEMORANDUM FOR RECORD

SUBJECT: Warning shot fired during HQ 3-7 IN patrol number 062810.

INVESTIGATING OFFICER'S NAME: CPT [REDACTED]

INVESTIGATING OFFICER'S SIGNATURE: [REDACTED]

Findings: On 281430JUN05 patrol #062810 from HQ 3-7 IN was conducting a mounted patrol in sector. The patrol was conducted in coordination with the 3-1 MOI Commando Battalion in Baghdad, Iraq. After departing the MOI compound the patrol was traveling south on RTE [REDACTED] preparing to move southwest on RTE [REDACTED] vicinity [REDACTED]. At that point the patrol made contact with a blue hatchback, taxi. Prior to turning onto RTE [REDACTED] the patrol gave both visual signals and audible signals. After talking with the patrol it was concluded that the gunner, PFC [REDACTED] of the lead vehicle used the hand signal for stop and was shouting at oncoming traffic. The driver, SPC [REDACTED] did observe southbound traffic coming to a halt and proceeded to enter RTE [REDACTED]. The TC, LTC [REDACTED] utilized the audible alarm on the vehicle prior to reaching the intersection and while entering RTE [REDACTED]. It is evident that the signals were appropriate in that the white car had slowed and was adhering to the signals given by the patrol. After the patrol had committed to the turn, SSG [REDACTED] who was positioned in the seat behind the driver (SPC [REDACTED]) identified the blue taxi that was initially behind the white car and appeared to be increasing speed. SSG [REDACTED] yelled to PFC [REDACTED] to watch the blue car. SSG [REDACTED] stated that he definitely felt as if the driver of the blue car was targeting the convoy. PFC [REDACTED] identified the blue car and immediately noticed his erratic driving and fired two warning shots in front of the blue hatchback. The driver of the blue hatchback then came to a sudden stop causing him to lose control of the vehicle as he swerved into the white Daewoo driven by MR. [REDACTED]. PFC [REDACTED] remembers hearing tires squealing and you can visually see the skid marks on the passenger side of Mr. [REDACTED]'s vehicle in the video. The blue vehicle then lost temporary control making contact with the white Daewoo vehicle from the right rear. After the initial contact the patrol began to secure the area at which time Mr. [REDACTED] was identified as being injured. The patrol then began rendering first aid on Mr. [REDACTED] to initiate a medevac call. SGT [REDACTED] and SPC [REDACTED] checked Mr. [REDACTED] for vital signs, which he had but he was unconscious. They then began to check him for entry and exit wounds on his upper torso, arms, and head. Mr. [REDACTED] shirt was removed while checking his upper torso. They were unable to identify any injuries other than a bloody nose. This injury appeared to be sustained during the impact of the two vehicles. Mr. [REDACTED] was not wearing his seat belt. The Iraqi Police arrived on the scene and transported Mr. [REDACTED] to the local hospital. They issued a statement based on local populace accounts on 2 July 05. It states that multiple shell casings were fired and that Mr. [REDACTED] died at the scene. All evidence at the scene that was analyzed left no indicators as to Mr. [REDACTED]'s injury. Multiple bullet holes can be viewed on the Mr. [REDACTED] car from the video that give the appearance of entry from his left rear but no real conclusions can be made as to cause of injury. Two impacts can be seen on the photographs that would indicate impacts from a .50 cal into the pavement. This evidence doesn't confirm whether or not the two shots fired didn't result or contribute to Mr. [REDACTED]'s injury. However no real evidence can be shown to indicate that the shots fired from the patrol did in fact directly result in Mr. [REDACTED]'s injury. This conclusion is based off eyewitness accounts and the evidence provided in the video and photos. Eyewitness accounts indicate only two shots fired from the passenger front of Mr. [REDACTED] vehicle. Mr. [REDACTED] vehicle had multiple bullet holes, however the front windshield and passenger front window were intact. Mr. [REDACTED]'s driver side front and rear window were damaged and passenger rear window were damaged as well as the rear window on his vehicle. Again, no indicators that the damage to Mr. [REDACTED]'s vehicle is as a result of the .50 cal warning shots fired. Also the Iraqi Police did find one 7.62 round on the west side of RTE [REDACTED], again no indication as to whether shots were fired from the driver's side of Mr. [REDACTED] vehicle during this incident. The patrol #062810 then turned the scene over to the Iraqi Police and proceeded back to FOB [REDACTED].

Later that evening LTC [REDACTED] from the Iraqi Police called LTC [REDACTED] to inform him that Mr. [REDACTED] had deceased at the hospital. This investigating officer was initially informed that an autopsy was to be conducted but during the initial

Inquiry I was informed that Mr. [REDACTED] had been buried without an autopsy being conducted. No further information has been given as to the actual cause of death.

In conclusion this investigating officer finds that the patrol followed proper RAMP and ROE. In addition, I find that all established company level SOPs were utilized to the fullest extent.

**Recommendations:** Investigating officer is confident in the decision-making of the soldiers involved in the incident and that they understand the seriousness of every round fired while on patrol. I also believe the patrol leader made the right decisions and I recommend that the patrol follow-up with the family of the local national to maintain a positive relationship with the family/community. Also I recommend that the members of the patrol continue to conduct concurrent RAMP and ROE training to ensure proper use of force in the future.

COMPANY COMMANDERS NAME: CPT [REDACTED]  
COMPANY COMMANDER'S SIGNATURE: [REDACTED]

BATTALION COMMANDERS NAME: LTC [REDACTED]  
BATTALION COMMANDER'S SIGNATURE: [REDACTED]

**Recommend:** *Concur w/ FO conclusions and recommendations, We will attempt to contact family to help them file a claim.*  
**Comments:** *Not sure if autopsy was performed or not. Still trying to verify with LTC [REDACTED]*

BRIGADE COMMANDER'S NAME: [REDACTED]  
Soldier's duty performance:

**Recommend:**

**Comments:**

[REDACTED]  
COL, EN  
Commanding

Enc:  
LTC [REDACTED] Statement  
SGT [REDACTED] Statement  
SPC [REDACTED] Statement  
PFC [REDACTED] Statement  
Mr. [REDACTED] Statement  
Disc with Video of white car  
Photos of scene

*Chawen*

**170th MILITARY POLICE COMPANY**  
**SALUTE REPORT**

REPORTED BY: SSG [REDACTED] UNIT: 3/3A/170<sup>TH</sup> MP CO PHONE: [REDACTED]

RECEIVED BY: MSG [REDACTED] UNIT: 170 MP CO PHONE: DNTV [REDACTED]

REPORT DTG: 281150DJUN05

SIZE: 1 WHITE DAEWOO PRINCE (4-DOOR)

ACTIVITY: 1 LOCAL NATIONAL KILLED *Aliamed Wa'il Azzat* [REDACTED] (IRAQI JOURNALIST)

LOCATION: VICINITY GRID [REDACTED] ZONE: 41 CHECKPOINT 524

UNIT: UNKNOWN

TIME: 271400DJUN05

EQUIPMENT: SAF - POSSIBLE M4/SAW/ OR .50 CAL

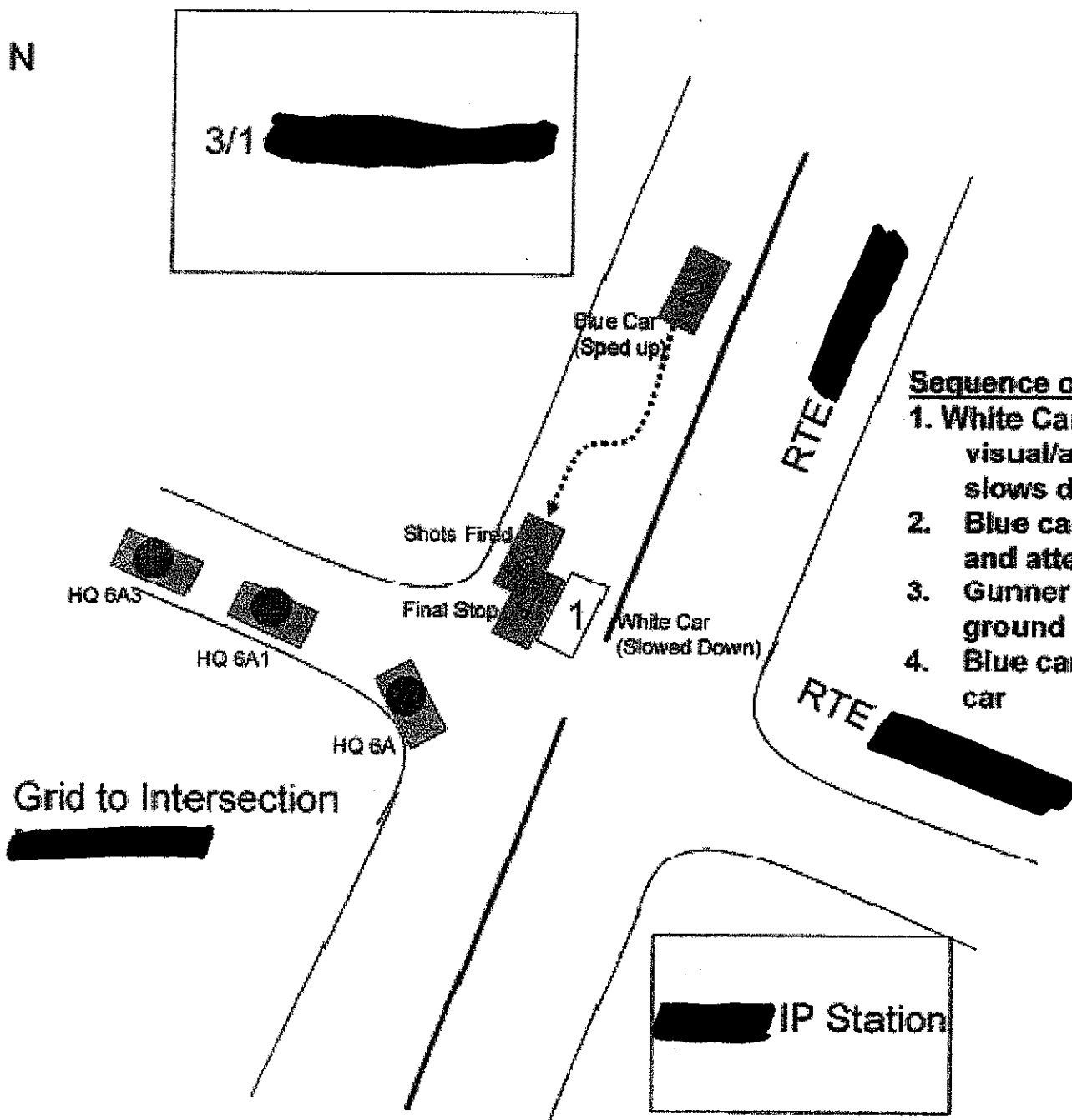
SUMMARY: ON 281810DJUN05 [REDACTED] UPON ARRIVAL TO [REDACTED] IP OBSERVED THE ABOVE VEHICLE AT THE STATION. MADE CONTACT WITH THE STATION COMMANDER (COL [REDACTED]) DETERMINED THAT THE VEHICLE WAS SHOT BY COALITION FORCES AT CHECK POINT 4. COL [REDACTED] STATED [REDACTED] MADE CONTACT WITH HIM AND STATED THE VEHICLE WAS FOUND AT THE CHECK POINT WITH THE DRIVER DEAD. COL [REDACTED] STATED HE DIDN'T BELIEVE [REDACTED] AND WENT TO THE AREA TO CONDUCT A FURTHER INVESTIGATION. COL [REDACTED] BELIEVES THAT THE [REDACTED] ELEMENT WAS TRAVELING DOWN [REDACTED] FROM [REDACTED] AND ENTERED THE INTERSECTION OF [REDACTED], UPON ENTERING THE EAST BOUND LANE ONTO [REDACTED] THE ABOVE VEHICLE FAILED TO SEE THE CONVOY AND WAS FIRED UPON. COL [REDACTED] STATED THEIR WERE SHELL CASINGS FROM A .50 CAL ALONG THE ROADSIDE. AFTER A VISUAL INSPECTION BY 33A A COUNT OF 22 ROUNDS WERE FIRED INTO THE VEHICLE WHICH ALL APPEAR TO BE FROM SAF. CONTACT WAS MADE WITH [REDACTED] WHO STATED THAT THERE WAS NO REPORT OF INCIDENT.

ACTION TAKEN: INFORMATION FORWARDED TO S3/504<sup>TH</sup> MP BN TOC AND 184 IN.





N



Sequence of Events

1. White Car adheres to visual/audible warnings and slows down.
2. Blue car ignores warnings and attempts to pass.
3. Gunner fires 2 X .50 Cal into ground in front of blue car
4. Blue car careens into white car

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 901; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOB [REDACTED], Baghdad, Iraq	2. DATE (YYYYMMDD) 2005/06/28	3. TIME 1530	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS LTC/AD	
8. ORGANIZATION OR ADDRESS HQ 3d Bn, 7th Infantry, FOB [REDACTED] Baghdad, Iraq			

I, LTC [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the afternoon of 28 June at approximately 1430 hours, my patrol, consisting of 3 X Up-armored HMMWVs, was leaving the 3-1 MOI Commando compound after having conducted some coordination. As we began to make a right hand turn onto RTE [REDACTED] headed south at Grid [REDACTED] we used the normal visual, audible warnings to alert traffic that we were entering the intersection (NOTE: Our SOP is for the driver to slow down while the gunner issues shouts, and gives the hand and arm signal for traffic to yield. As well, I will tap my siren). As the traffic slowed, we pulled into the intersection with my vehicle in the lead. We had just about completed our turn, when I heard my gunner fire two warning shots from his .50 CAL. Out of the corner of my eye, I saw a blue hatchback come to a rapid halt to our left rear and hit a white sedan that was in the left hand lane. (SEE ATTACHED SKETCH) I asked my gunner if he had hit anything. he replied "No," the rounds hit the ground in front of the blue car. We got out to check the driver and search his vehicle. Only then did we notice that the driver of the vehicle he had hit (the white Daewoo) was slumped over and bleeding. We set up a perimeter and rushed to the white vehicle, a Daewoo Frisco, Liscence # [REDACTED]. The left rear window was shattered and there was evidence of multiple holes in left side of his car, as well as the rear windshield. The driver, a Mr. [REDACTED], was unconscious, but was breathing and had a pulse. Meanwhile, the driver of the blue hatchback, who claims he didn't see us, check out as negative, so we pushed his car off the Daewoo and sent him on his way. My patrol began rendering first aid to Mr. [REDACTED]. It appeared that he had slammed his face into the steering wheel, as his nose was bleeding profusely. We removed his shirt but could find no evidence of a bullet entrance or exit wound. We initiated a 9-Line medevac request when about 12 IPs showed up from the [REDACTED] IP Station to our east. They offered to drive him immediately to the hospital in their vehicle, so I agreed. After a few of the IPs departed for the hospital, the rest of them, along with my patrol, began to attempt to piece the incident together based on the forensic evidence available. In the road about 20 meters behind the white Daewoo were two clear marks in the pavement where the .50 CAL rounds had hit. As stated, there were multiple holes in the left rear quarter panel of the vehicle, as well as a few in the rear and one in the right front quarter panel. There was no evidence of any bullet holes in the driver's seat of Mr. [REDACTED]'s car. It appeared as though some of the holes on the left side of the exterior were exit holes, rather than entrance holes, based on the outward deformation of the sheet metal. We asked the IPs if any of them had fired on the car from the opposite direction, and they all replied negative. A few moments later, one of the IPs found a 7.62mm AK round on the west side of the road (our side). We could not confirm or deny whether this round had been fired at the car. We took video of the car and the scene, turned the scene over to the IPs, and proceeded on our patrol. Before leaving, we asked LTC [REDACTED] from the IP station to keep us informed of the status of Mr. [REDACTED]. Later on that evening, LTC [REDACTED] called to inform us that Mr. [REDACTED] had passed away, but he wasn't sure of the cause of death. The coroner is planning to conduct an autopsy to determine the exact cause. Finally, LTC [REDACTED] revealed to us that, in his interviews with several local residents, they attested to the fact that the patrol gave sufficient warnings to traffic and that every driver adhered to those warnings, except the driver of the blue hatchback. We are attempting to get a written statement from LTC [REDACTED] attesting to this fact. Pending the results of the autopsy, there is no way to reasonably determine whether Mr. [REDACTED] died as a direct or indirect result of our warning shots. A full autopsy may in fact reveal a bullet wound to Mr. [REDACTED]. It is also possible that the force of his head colliding with his steering wheel caused sufficient brain trauma to cause death. Whether this was from him slamming on his brakes or from the collision he suffered with the blue hatchback would be nearly impossible to tell. Finally, it is possible that fragments of the pavement that were kicked up when the .50 CAL rounds impacted the road caused lethal injury to Mr. [REDACTED]. Regardless of the cause of this unfortunate death, I can find no fault with either my gunner or any other member of my patrol. All established SOPs were followed, and the gunner observed proper RAMP and ROE. This incident reinforces the need for a theater-wide IO campaign to remind drivers to keep their distance from coalition patrols and to adhere to visual/audible warnings.

*End of Statement*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

ETC. [REDACTED]

TAKEN AT

FEB [REDACTED]

DATED

28 June '95

9. STATEMENT (Continued)

Not  
Used

Not used

Not  
used

Not used

## AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE \_\_\_\_\_. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 12, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION FOB [REDACTED]	2. DATE (YYYYMMDD) 2005/06/28	3. TIME 2100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS HQ C 3/7 IN			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

We were turning South on to RT [REDACTED] from Rt [REDACTED]. We had siren on and gunner was given hand signals to on coming traffic to stop. The white Daewoo Prince was near the median slowing down when a Blue taxi swerved around the prince. I yelled watch out for the blue car. At that time gunner PFC [REDACTED] fired 2 50 CAL warning shot in front of the blue car. The blue car then stopped side hitting the white prince which pushed them forward about 5 m. I noticed that the driver in prince head was limp and blood coming from nose. We set up cordon of area. I went to check out driver in prince. I checked for pulse which he did have and noticed he was unconscious. Spc [REDACTED] helped me with cutting the mans shirt. I searched from belt line to the top of the mans head and found no bullet wounds. From my view it looked like the driver just hit the steering wheel and or dash and broke his nose. He was not wearing seat belt. We then noticed both of his back door windows were broken. We also noticed about 8 holes in the back window. They looked like bullet holes threw the glass. Both sides of the car had what looked like bullet holes threw doors. Some of them was noticed that they were exit shots. The IP's showed up took the man to local hospital. We closed the cordon and then headed back to FOB [REDACTED]. About 2030 I learned from COL. [REDACTED] that the guy died and they are going to do an autopsy. [REDACTED]

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 2005/06/28

9. STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

# SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is ODCSOPS

LOCATION EDB [REDACTED]	DATE 05 June 72	TIME 2230	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC/E-4
ORGANIZATION OR ADDRESS HQ, 2-2 JNF			

I, SPC [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

When we left the MBI compound on Raiders. I was making a right turn on an off ramp to travel. Down south on [REDACTED]. As I was making the turn I saw a white 4 door prince slow down has with other cars slowed down. So has was moving forward on [REDACTED]. I heard SSG [REDACTED] say look out for the blue car, has he said that, PFC [REDACTED] fired 2 warning shots with the recoil. Then the blue taxi stopped. When we got out of the vehicle I seen the 4 door prince behind the taxi. SSG [REDACTED] and Lt Col [REDACTED] went to so investigate to see what was wrong. Lt Col [REDACTED] told me call a crime medic cause we saw that the guy in the white 4 door prince was injured. The guy was bleeding from his nose. [REDACTED] performed first aid on the guy until the IP's came. They took the guy to the hospital. They found no bullet wounds on him. Later on that day SSG [REDACTED] told us the guy didn't make it. They are doing an autopsy to figure out how he died.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 05 June 28

9. STATEMENT (Continued)

*Nothing Else Follows*

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]

9. STATEMENT (Continued)

Nothing else follows

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

REC [REDACTED]

ORGANIZATION OR ADDRESS

QC [REDACTED]

917 INF

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of JUL 82 at FPO [REDACTED] BAHAMAS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED] CPT IN  
(Typed Name of Person Administering Oath)

COMMADONK  
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



# SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is PMAG.

## PRIVACY ACT STATEMENT

### AUTHORITY:

Title 10 USC Section 3071; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSM).

### PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified.

### ROUTINE USES:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

### DISCLOSURE:

Disclosure of your social security number is voluntary.

### 1. LOCATION

FOB [REDACTED]

### 2. DATE (YYYYMMDD)

20050628

### 3. TIME

22:22

### 4. FILE NUMBER

### 5. LAST NAME FIRST NAME MIDDLE NAME

### 6. ORGANIZATION OR ADDRESS

HQ 3/7 INF

### 7. GRADE/STATUS

PFC/E-3

8

1. PFC [REDACTED]

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

We was just leaving the M.O.I. compound on [REDACTED]. As we was traveling down the road, we started to make a right turn like an off ramp to travel South on [REDACTED] to come back to the FOB. As the convoy was turning, from a distance I saw a Blue taxi car swerve through traffic trying to make it pass us. I gave him the signal to stop and Lt. Col. pressed the siren. Other cars stopped to let us by but the taxi kept coming. Sgt [REDACTED] said to watch the taxi. As he said it I fired two warning shots with the 50 Cal. Then the taxi stopped. I saw the white car next to the taxi and I saw that the guy was injured. He was driving a 4 door sedan/white. Spc [REDACTED] picked up a rifle. I saw the guy bleeding from his nose and was pale. Sgt [REDACTED] and Lt Col [REDACTED] went to see what was wrong and found no bullet wound on the guy. Spc [REDACTED] performed first aid on the guy until the J.P.'s came. They took him to the Emergency room. After that we headed back to the FOB. As the day went by, Sgt [REDACTED] came up to me and told

### 10. EXHIBIT

### 11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF PFC [REDACTED]

TAKEN AT I/OB [REDACTED] DATED 20050628

1. STATEMENT (Continued)

me that the guy didn't make it. They don't know why he didn't make it. They are going to do an autopsy to see what was wrong.

Nothing else follows

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE 2, DA FORM 2823, DEC 1988

USGPA 501.015

STATEMENT OF PFC [REDACTED]

TAKEN AT FOB [REDACTED]

DATED 20050628

E. STATEMENT (Continued)

*Nothing else follows*

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [REDACTED]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES: PFC [REDACTED]

SPC [REDACTED]

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2<sup>nd</sup> day of JUL 05 at [REDACTED] BAGHDAD, IRAQ

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Commanding Officer  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

# SWORN STATEMENT

For use of this form, see AR 190-45; its proponent agency is ODCSOPS

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary.

1. LOCATION  
 FOB [REDACTED]  
 2. DATE (YYYYMMDD)  
 2005/06/28  
 3. TIME  
 2324  
 4. FILE NUMBER  
 [REDACTED]  
 5. LAST NAME, FIRST NAME, MIDDLE NAME  
 [REDACTED]  
 6. SSN  
 [REDACTED]  
 7. GRADE/STATUS  
 GS13  
 8. ORGANIZATION OR ADDRESS  
 [REDACTED] /SOS

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the afternoon of June the 28th 2005, around 1430 hours, we were coming back from the first battalion [REDACTED] camp, and while we were turning right to get on a main street, I heard the gunner [REDACTED] holler a few times at someone to stop, as he does usually to prevent them from getting in the middle of our convoy. Then I heard a couple of loud rounds, after which someone said that there were an injured civilian in a vehicle. Immediately we went to the vehicles and three of our guys started attending to the civilian and helping him while the rest secured the perimeter. Upon approaching the vehicle I noticed that the victim's vehicle had collided with another one and the two bumpers were stuck together. The vehicles were stationary in a way that the victims vehicle was on the far side from ours and the third was in between us and the victim, then I was told to have the second driver leave since he sustained no injuries and there was nothing wrong with his car. After he drove off, there was some [REDACTED] approved. So they took him in one of there patrols, after they left the IPs under the command of LTC [REDACTED] started taking notes and looking for evidence and studying the scene, mostly they were wondering were the rounds came from since there was what looked like several exit holes from the side that our vehicles were at, as if some rounds came from the other side as well. And after further investigation we found were the two rounds that [REDACTED] shot had landed which was on the ground. And after a few minutes an IP officer came up to LTC [REDACTED] and handed him what looked like a 7.62 mm round that was on the ground behind our HUMMVs, which might indicate that in fact rounds were shot from his opposite direction as well. After that I got the information about the victim and his vehicle which were as follows, his name is [REDACTED] born in 1975, driving a white Daewoo Prince with the plate number [REDACTED], and he had a press ID, saying that he is a director at the Al Sharika T.V. station. I was told by LTC [REDACTED] to ask LTC [REDACTED] to keep us posted on [REDACTED] situation, so I did. After we got back later on I called LTC [REDACTED] and I was informed that [REDACTED] has passed away, and he explained to me that he was told by witnesses: "The Americans tried to flag the vehicle to stop three times and then they shot the rounds." LTC [REDACTED] told me as well that they ordered an autopsy to figure out the reason of death. I conveyed to LTC [REDACTED] LTC [REDACTED] condolences and asked him to give me the results of the autopsy as soon as he gets them in. Nothing further.

Almad's

Almad Wa'il Izzat

06/28/2005

10. EXHIBIT  
 11. INITIALS OF PERSON MAKING STATEMENT  
 PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED 06/28/05

6. STATEMENT (Continued)

[REDACTED]

06/28/05

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT

[REDACTED]

(Signature of Person Making Statement)

WITNESSES:

\_\_\_\_\_

ORGANIZATION OR ADDRESS

\_\_\_\_\_

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2<sup>nd</sup> day of June, 2005

At [REDACTED]

[REDACTED] 1LT

(Signature of Person Administering Oath)

[REDACTED] B 1LT

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

[REDACTED] Police Department.  
NO: 10451  
Date 7/2/2005

on Tuesday (June 28th /2005) at (14:30)  
we heard shut guns outside also very close.  
from the IP dep. so at once a group of IPs  
ran towards the shut guns. and we found  
the 3 Humvees for the American troop at the  
Middle of the road by ( [REDACTED]  
Masque) that road call ( [REDACTED] and  
they so the car w/ the license plate [REDACTED]  
Baghdad (temporary license) white color. and inside  
the car the victim ( [REDACTED]  
as it shows in his (ID) beside other Documents  
issued from Eastern TV station as an employee  
that works there. → Ahmed Wa'el Ezat

- After they pulled the body from the car.  
some bullets was found. in his chest, Neck,  
Stomach and his back and he was bleeding  
hardly from his Nose and Eyes.

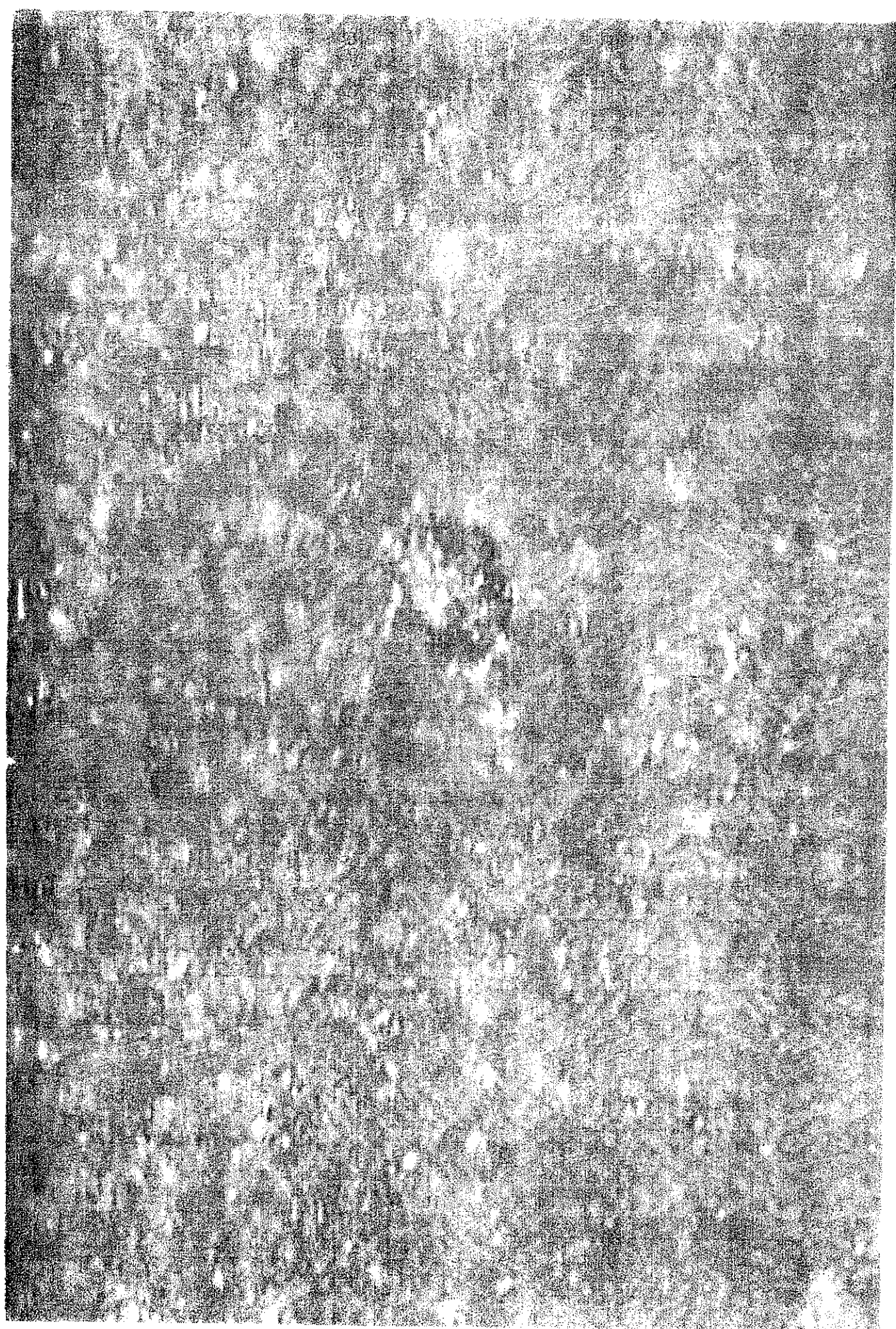
- We also found the side windows and the back  
windows of this car was totally smashed.  
- Testimonys from the witnesses was taking and  
these witnesses were very close to the accident.

1st: Mrs: [REDACTED] born on (1970)  
works as clerk for Transportation Dep. address:  
[REDACTED] Ln. Zip Code [REDACTED].

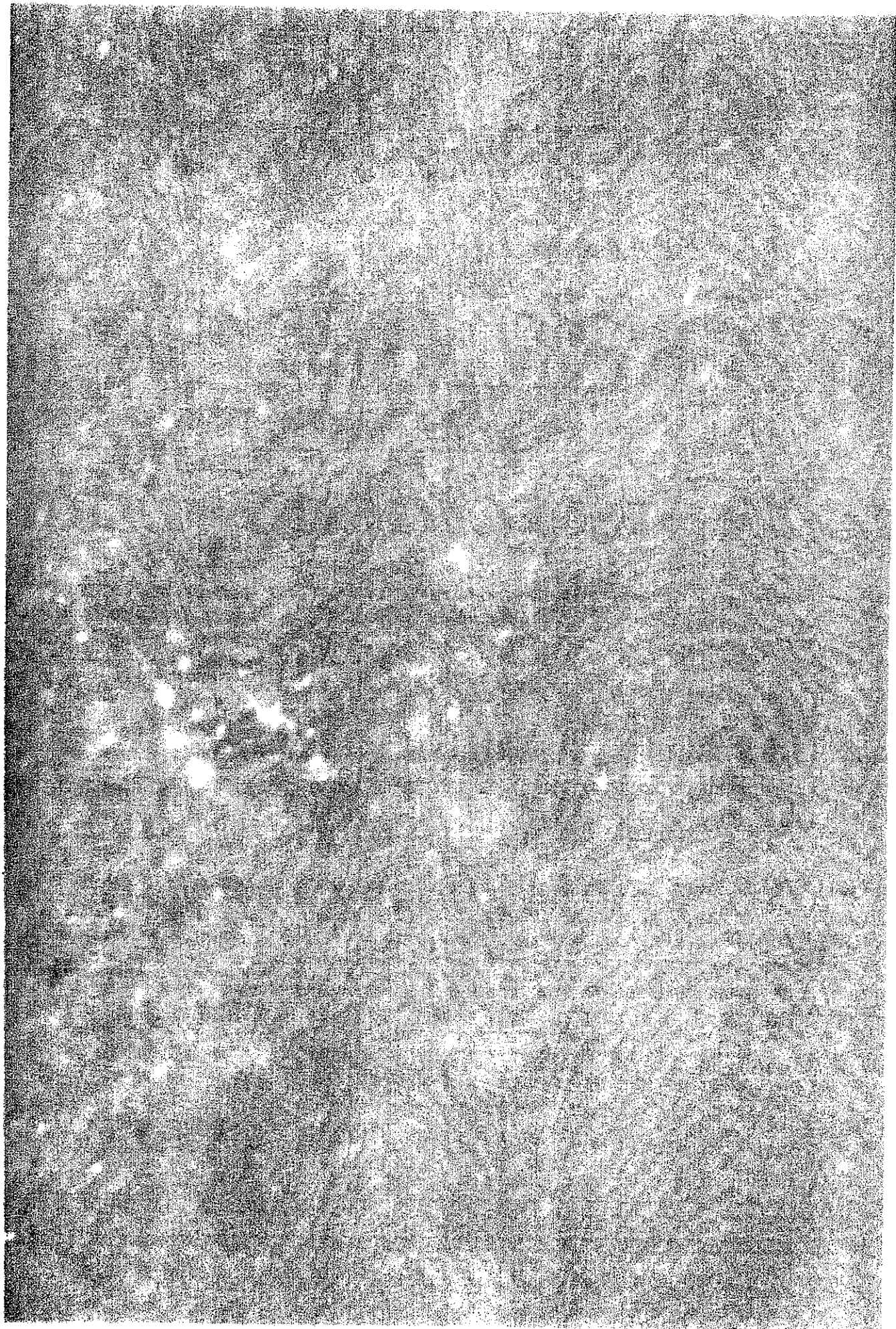
continue next page

Azan Ibrahim Melady













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